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PATENT  
Attorney's Docket No. 209053

### COMBINED DECLARATION AND POWER OF ATTORNEY

As below named inventor, I hereby declare that

This declaration is of the following type:

- ☐ original ☐ design ☐ supplemental  
☐ national stage of PCT  
☐ divisional ☐ continuation ☒ continuation-in-part

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (*if only one name is listed below*) or an original, first, and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### AN ADAPTIVE FLOW CONTROL PROTOCOL

the specification of which:

- ☐ is attached hereto.  
☒ was filed on April 27, 2001 as Serial No. 09/844,153 and was amended on \_\_\_\_\_. (*if applicable*).  
☐ was filed by Express Mail No. \_\_\_\_\_ as Serial No. not known yet, and was amended on \_\_\_\_\_ (*if applicable*).  
☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (*if any*).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

| COUNTRY | APPLICATION | DATE OF FILING<br>(day,month,year) | PRIORITY CLAIMED<br>UNDER 35 USC 119 |     |  |    |
|---------|-------------|------------------------------------|--------------------------------------|-----|--|----|
|         |             |                                    |                                      | YES |  | NO |
|         |             |                                    |                                      | YES |  | NO |
|         |             |                                    |                                      | YES |  | NO |
|         |             |                                    |                                      | YES |  | NO |

In re Application of Eydelmar, et al  
Application Number Unassigned

I hereby claim the benefit pursuant to Title 35, United States Code, § 119(e) of the following United States provisional application(s):

| PRIOR U.S. PROVISIONAL APPLICATIONS CLAIMING<br>THE BENEFIT UNDER 35 USC 119(e) |                   |
|---|-------------------|
| APPLICATION NO.   | DATE OF FILING    |
| 60/112,777  | December 18, 1998 |
| 60/159,316  | October 14, 1999  |
|   |                   |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

| PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS<br>DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120 |                  |                                    |                    |         |           |
|--|------------------|------------------------------------|--------------------|---------|-----------|
| U.S. APPLICATIONS  |                  |                                    | Status (check one) |         |           |
| U.S. APPLICATIONS  | U.S. FILING DATE |                                    | PATENTED           | PENDING | ABANDONED |
| 1. 09/453,781  | December 3, 1999 |                                    |                    | X       |           |
| 2.   |                  |                                    |                    |         |           |
| 3.   |                  |                                    |                    |         |           |
| PCT APPLICATIONS DESIGNATING THE U.S.  |                  |                                    | Status (check one) |         |           |
| PCT APPLICATION NO.  | PCT FILING DATE  | U.S. SERIAL NOS. ASSIGNED (if any) | PATENTED           | PENDING | ABANDONED |
| 4.   |                  |                                    |                    |         |           |
| 5.   |                  |                                    |                    |         |           |
| 6.   |                  |                                    |                    |         |           |

| DETAILS OF FOREIGN APPLICATIONS FROM WHICH PRIORITY CLAIMED<br>UNDER 35 USC 119 FOR ABOVE LISTED U.S./PCT APPLICATIONS |         |                 |                               |                              |
|--|---------|-----------------|-------------------------------|------------------------------|
| ABOVE APPLN. NO.   | COUNTRY | APPLICATION NO. | DATE OF FILING (day,month,yr) | DATE OF ISSUE (day,month,yr) |
| 1.   |         |                 |                               |                              |
| 2.   |         |                 |                               |                              |
| 3.   |         |                 |                               |                              |
| 4.   |         |                 |                               |                              |

In re Application of Eydelman et al  
Application Number Unassigned

As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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I further direct that correspondence concerning this application be directed to Customer Number 23460.



**23460**

PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature

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In re Application of Eydelman et al  
Application Number Unassigned



Full name of **third joint inventor**: Michael T. Massa

Inventor's signature

*Michael T. Massa*

Date

*5/23/01*

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Full name of **fourth joint inventor**: Alessandro Forin

Inventor's signature

*Alessandro Forin*

Date

*May 26<sup>th</sup>, 2001*

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